



EW DAE

Docket No.: 2454.1045

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Axel GERLT et al

Serial No. 10/541,815

Group Art Unit: 2891

Confirmation No. 2891

Filed: July 8, 2005

Examiner: Matthew W. Such

For: ORGANO-RESISTIVE MEMORY UNIT

**PETITION TO RE-SEND FINAL OFFICE ACTION UNDER 37 C.F.R. §1.181**

**Mail Stop Petition**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

A new Power of Attorney was filed in the matter of the subject application on January 12, 2009, per copy attached. The Power of Attorney revoked all previous powers of attorney and changed the correspondence address of record to that of the undersigned representatives of the Applicants. A copy of a postcard receipt for the Power of Attorney bearing the stamp of the Office of Initial Patent Examination and dated January 12, 2009 is attached as well.

A final Office Action, which set a three month period for response, was subsequently mailed to the previous correspondence address on June 10, 2009. A copy of the cover sheet of the final Office Action is attached, showing the correspondence address of the previous representatives of the Applicants. The undersigned representative of the Applicants first learned of the mailing of the final Office Action during a phone call from the Examiner on December 11, 2009, too late to respond to the final Office Action within the statutory period for a response.

The Applicants request respectfully that the final Office Action be re-sent to the undersigned representative of the Applicants, and the statutory period for a response be restarted from the date the final Office Action is re-sent.

Application Serial No. 10/541,815

Petition to Re-Send Final Office Action filed December 22, 2009

No fee is believed to be required with this petition. If a fee is required, however, please charge the fee to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 22 DEC 9

By: 

Thomas E. McKiernan  
Registration No. 37,889

1201 New York Ave, N.W., 7th Floor  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
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Attachments: copy of Power of Attorney  
copy of postcard receipt  
copy of cover sheet of final Office Action

Please Date Stamp and return

Power of Attorney by Assignee of Entire Interest and Revocation of Prior Powers  
Assignment Form Cover Sheet  
Executed Assignment  
Check (\$40 - recordation fee)

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APPLICANT(S): Axel GERLT et al

SERIAL NO: U.S. Serial No. Control No.: 10/541,815

CONFIRMATION NO. 2891

TITLE: ORGANO-RESISTIVE MEMORY UNIT

FILING DATE: July 8, 2005

DOCKET NO: 2454.1045/MJH:lfb

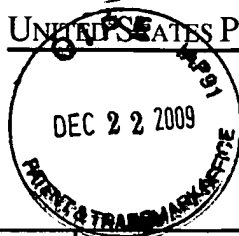
DUE DATE: N/A



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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/541,815      | 07/08/2005  | Axel Gerlt           | 411000-136          | 6108             |

27162 7590 06/10/2009  
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| EXAMINER |
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SUCH, MATTHEW W

|          |              |
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| ART UNIT | PAPER NUMBER |
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2891

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| MAIL DATE | DELIVERY MODE |
|-----------|---------------|

06/10/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.